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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,921	01/15/2002	Andrew Lewis Schirmer	23452-508	4465

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MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO PC
12010 SUNSET HILLS ROAD
SUITE 900
RESTON, VA 20190

EXAMINER

NGUYEN, CAM LINH T

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 09/01/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/044,921

Applicant(s)

SCHIRMER ET AL.

Examiner

CamLinh Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5 & 6.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: Applicant is required to update information about the commonly owned U.S. patent applications disclosed in the first page of the disclosure.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 – 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Gilmour et al (U.S. 6,115,709).

♦ As per claim 1, 11, 21, 31,

Gilmour discloses a method and system for mining e-mails to determine a user's affinities comprising:

- Means (Fig. 1, element 23) for "Accessing an e-mail system and retrieving from the system the e-mails sent to and from the user" See Fig. 1 - 2. "E-mail system" corresponds to the "e-mail server" 23, col. 7, lines 3 – 9, col. 5, lines 25 – 30. "Retrieving from the system the e-mails sent to and from the user" See col. 14, lines 38 – 40.
- Means (Fig. 2, element 47) for "Extracting keywords from the retrieved e-mails" See col. 8, lines 42 – 48, and Fig. 8, element 164, col. 14, lines 22 – 38.

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- Means (Fig. 2, element 45 - 46) for “Generating a list of categories based on the extracted keywords” Gilmour teaches that “term” includes any acronym, collection of words (col. 6, lines 36 – 38). The terms if form in a relevant knowledge terms for the purpose of grouping, ranking (col. 5, lines 6 – 8). Therefore, term in the Gilmour reference corresponds to a category. The “extracting terms” corresponds to “a list of categories”.
 - Means (Fig. 1, element 50) for “Accessing a master category list” the “master category list” corresponds to the “user knowledge profile” (Fig. 17A, element 308, col. 4, lines 66 – 67, col. 5, lines 41 - 45).
 - Means (Fig. 2, element 45 - 46) for “Filtering the generated category list by removing from the generated list those categories that are not included in the master category list” See col. 9, lines 1 – 20, and also col. 18, lines 59 – 66.
 - Means (Fig. 2, element 45 - 46) for “ For each category remaining in the generated category list, calculating an affinity value and associating the affinity value with the category, wherein the affinity value represent the strength of the user's relationship to the category” See Fig. 8, element 154, col. 14, lines 59 – 67, Fig. 9A-B. “The affinity value” corresponds to the “confidence value” in Fig. 9, col. 16, lines 34 – 36.
- ♦ As per claim 2 - 3, 12 – 13, 22 – 23, Gilmour discloses:
- “Submitting a proposed user affinity for publication, wherein the proposed user affinity includes one of the categories from the generated category list and the affinity value associated with the category” See Fig. 15A, col. 18, lines 19 – 22.
 - “Determining an affinity value threshold” See Fig. 15A, col. 18, lines 10 – 14.
- ♦ As per claim 4 - 6, 14 – 16, 24 – 26, Gilmour discloses:

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- “Determining whether the affinity value included in the proposed user affinity exceeds the affinity value threshold” col. 18, lines 22 – 34.
 - “If the affinity value included in the proposed user affinity does not exceed the affinity value threshold, then the proposed user affinity is not published” and “publishing the proposed user affinity if it is determined that the affinity value included in the proposed user affinity exceeds the affinity value threshold” See Fig. 15A, col. 18, lines 22 – 34.
- ◆ As per claim 7 - 8, 17 – 18, 27 – 28, Gilmour discloses:
- “Notifying the user of the proposed user affinity and requesting from the user a response that indicates whether or not the user wishes to have the proposed user affinity published if it is determined that the affinity value included in the proposed user affinity exceeds the affinity value threshold” See Fig. 15B, col. 19, lines 26 – 30.
- ◆ As per claim 9, 19, 29, Gilmour discloses:
- “Receiving the response from the user; determining whether the response indicates that the user wishes to have the proposed user affinity published; and publishing the proposed user affinity if it is determined that the response indicates that the user wishes to have the proposed user affinity published” col. 19, lines 36 – 38, fig. 16B, col.41 – 53.
- ◆ As per claim 10, 20, 30, Gilmour discloses:
- “The step of publishing the proposed user affinity comprises the step of updating a profile associated with the user such that the profile indicates that the user has an affinity for the category included in the proposed user affinity” See Fig. 17D – E, col. 21, lines 29 – 33.

Conclusion

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3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Gilmour et al (U.S. 6,640,229) discloses an automatic management of terms in a user profile in a knowledge management system.
- David Gilmour (U.S. 6,377,949) discloses a method and apparatus for assigning a confidence level to a term within a user knowledge profile.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CamLinh Nguyen whose telephone number is 305-1951. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100